PATENT
Attorney Docket No. 225602

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of:

Desai et al.

Group Art Unit: 1653

Application No. 10/731,224

Examiner: Unassigned

Filing Date: December 9, 2003

For: COMPOSITIONS AND METHODS OF
DELIVERY OF PHARMACOLOGICAL
AGENTS WITH REDUCED SIDE-
EFFECTS

RESPONSE TO NOTICE TO FILE MISSING PARTS

Mail Stop Missing Parts
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450RECEIVED
AUG 31 2004
OIP/E/JCWS

Dear Sir

Applicant(s) hereby respond(s) to the Notice to File Missing Parts of Application dated August 16, 2004.

The items checked below are appropriate:

1. Status of Applicant

This application is on behalf of ☐ other than a small entity or ☒ a small entity.

CERTIFICATE OF MAILING OR TRANSMISSION UNDER 37 CFR 1.8			
I hereby certify that this Response and all accompanying documents are, on the date indicated below, <input type="checkbox"/> being deposited with the United States Postal Service as first class mail in an envelope addressed to: Mail Stop , Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450, or <input checked="" type="checkbox"/> being facsimile transmitted to the U.S. Patent and Trademark Office, Facsimile Number [703] 746-4060.			
Name (Print/Type)	Barth R. Zurkammer		
Signature		Date	August 27, 2004

In re Appln. of Desai et al.
Application No. 10/731,224

2. Documents Submitted Herewith

- a. ☒ Executed Declaration of inventor(s)
b. ☐ Nucleotide and/or Amino Acid Sequence Submission:
i. ☐ Computer Readable Form (CRF)
ii. Specification Sequence Listing on:
(1) ☐ CD-ROM or CD-R (2 copies); or
(2) ☐ Paper Copy
iii. ☐ Statement verifying identity of above copies
c. ☐ Verified English translation of application
d. ☒ Copy of the Notice to File Missing Parts of Application
e. ☐ Substitute Drawings
f. ☐ Other:

3. Application Filing Fee

- a. ☒ No application filing fee due
b. ☐ Application filing fee due in amount calculated below:

APPLICATION FEES				
CLAIMS	NUMBER FILED	NUMBER EXTRA	BASIC FEE RATE	\$ 770.00
Total Claims	- 20 =		× \$18.00	\$
Independent Claims	- 3 =		× \$86.00	\$
<input type="checkbox"/> Multiple Dependent Claims(s) if applicable			+ \$290.00	\$
Total of above calculations =				\$
Reduction by 50% for filing by small entity =				\$()
Fee Already Paid =				\$()
Fee Due =				\$

4. Late Filing of Oath or Declaration Surcharge

Pursuant to 37 CFR 1.16(e), the surcharge for filing this Response is for
☐ other than a small entity or ☒ a small entity.

Fee Due \$ 65.00

5. Non-English Specification Surcharge

Pursuant to 37 CFR 1.17(i), the surcharge for submitting an English translation of the non-English specification is included.

Fee Due \$ 0.00

6. Extension of Time

- ☐ Applicant(s) petition(s) for a one-month extension of time under 37 CFR 1.136, the fee for which is \$110.00.
☐ Applicant(s) believe(s) that no extension of time is required. However, this conditional petition is being made to provide for the possibility that applicant(s)

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has/have inadvertently overlooked the need for a petition and fee for extension of time.

Fee Due \$0.00

7. **Total Fee Due**

The total fee due is:

Application Filing Fee	\$0.00
Late Filing of Declaration Surcharge	\$ 65.00
Non-English Specification Surcharge	\$ 0.00
Extension of Time Fee	\$ 0.00

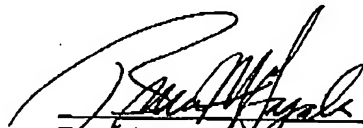
Total Fee Due: \$65.00

8. **Fee Payment**

- ☐ Attached is a check in the sum of \$
- ☒ Charge Account No. 12-1216 the sum of \$65.00. A duplicate of this transmittal is attached.

9. **Fee Deficiency**

- ☒ If any additional fee is required in connection with this communication, charge Account No. 12-1216. A duplicate of this transmittal is attached.



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Two Prudential Plaza, Suite 4900
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Chicago, Illinois 60601-6780
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Date: August 27, 2004

Missing Parts Response (Revised 2004 02 07)



UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE
United States Patent and Trademark Office
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APPLICATION NUMBER	FILING OR 371 (c) DATE	FIRST NAMED APPLICANT	ATTORNEY DOCKET NUMBER
10/731,224	12/09/2003	Neil P. Desai	225602

23460
LEYDIG VOIT & MAYER, LTD
TWO PRUDENTIAL PLAZA, SUITE 4900
180 NORTH STETSON AVENUE
CHICAGO, IL 60601-6780

CONFIRMATION NO. 4904

FORMALITIES LETTER

OC000000013548508

Date Mailed: 08/16/2004

NOTICE TO FILE MISSING PARTS OF NONPROVISIONAL APPLICATION

FILED UNDER 37 CFR 1.53(b)

*Filing Date Granted***Items Required To Avoid Abandonment:**

An application number and filing date have been accorded to this application. The item(s) indicated below, however, are missing. Applicant is given **TWO MONTHS** from the date of this Notice within which to file all required items and pay any fees required below to avoid abandonment. Extensions of time may be obtained by filing a petition accompanied by the extension fee under the provisions of 37 CFR 1.136(a).

- The oath or declaration is missing.
A properly signed oath or declaration in compliance with 37 CFR 1.63, identifying the application by the above Application Number and Filing Date, is required.
- To avoid abandonment, a late filing fee or oath or declaration surcharge as set forth in 37 CFR 1.16(e) of \$65 for a small entity in compliance with 37 CFR 1.27, must be submitted with the missing items identified in this letter.

SUMMARY OF FEES DUE:

Total additional fee(s) required for this application is \$65 for a Small Entity

- \$65 Late oath or declaration Surcharge.

Replies should be mailed to: Mail Stop Missing Parts

08/31/2004 HROCHA1 00000007 121216 10731224 Commissioner for Patents
01 FC:2051 65.00 DA P.O. Box 1450
Alexandria VA 22313-1450

*A copy of this notice **MUST** be returned with the reply.*



Customer Service Center

Initial Patent Examination Division (703) 308-1202

PART 2 - COPY TO BE RETURNED WITH RESPONSE